

## **REMARKS**

Reconsideration of the rejections is requested in view of the following remarks.

### **Rejection under 35 U.S.C §103(a):**

Claims 1, 4, 6-8, and 12-15 have been rejected under 35 U.S.C §103(a) as being unpatentable over Okada (US 6,148,140) in view of Chang (US 7,289,564). This rejection is respectfully traversed for the following reasons.

Claim 1 recites a moving picture coding method, including, in part, detecting whether the values of the display order information for the pictures to be included in the generated coded stream are sequential or non-sequential and generating a flag indicating that the values of the display order information are non-sequential when the detecting step detects that the values of the display order information for the pictures to be included in the generated coded stream are non-sequential. The above features of claim 1 address a problem that occurs due to the buffer management method used in the H.264 standard that causes playback problems in edited video. The combination of Okada and Chang fails to disclose the above features as recited in claim 1.

Okada discloses a seamless flag that indicates to the video data editing apparatus whether the VOB corresponding to the present seamless linking information should be reproduced seamlessly following the end of reproduction of the VOB positioned immediately before the present VOB in the AV file. When the flag is set to “01”, the video encoder reproduces the present VOB seamlessly. When the flag is set to “00”, the video encoder does not reproduce the present VOB seamlessly. (See col. 26, lines 57-64.) Thus, Okada discloses a flag that indicates to the video encoder whether to reproduce the video seamlessly or not. However, Okada does not disclose a flag that indicates when the values of display order information are not sequential. Therefore, Okada does not disclose or suggest detecting whether the values of the display order information for the pictures to be included in the generated coded stream are sequential or non-sequential and generating a flag indicating that the values of the display order information are non-sequential when the detecting step detects that the values of the display order information for the pictures to be included in the generated coded stream are non-sequential, as recited in claim 1. Chang also fails to disclose or suggest the above features as recited in claim 1.

Chang discloses a video encoding method with support for editing with a scene change. In this method a scene change detecting function has to be applied in the display order because the encoder has to know where the scene changes so it can encode the pictures before and after the scene change into two distinct groups of pictures (GOP). (See col. 3, lines 49-55.) Once a scene change is detected, the encoder encodes the pictures based on the type and position in a GOP of the present coded pictures. (See col. 3, lines 57-60.) However, the scene change described in Chang relates to the content of the video (i.e., what is being displayed). The method in Chang groups GOPs based on scenes that are displayed. For example, a character's flashback would be grouped in a different GOP than the scene right before the flashback. This is different from display order information in that, when a character has a flashback, the scene changes to a past time, but the display order information of a video does not change to past values. Instead, the display order information is sequentially assigned independently of the content of a video. Thus, Chang encodes GOPs based on the scene changes in a video, not based on the independent display order information of the video. In addition, Chang does not disclose a flag that indicates when the values of display order information are not sequential. Therefore, Chang does not disclose or suggest detecting whether the values of the display order information for the pictures to be included in the generated coded stream are sequential or non-sequential and generating a flag indicating that the values of the display order information are non-sequential when the detecting step detects that the values of the display order information for the pictures to be included in the generated coded stream are non-sequential, as recited in claim 1.

Accordingly, no obvious combination of Okada and Chang would result in the present invention as recited in claim 1. As a result, claim 1 is patentable over the combination of Okada and Chang.

Claims 6, 8, 12-15 are patentable over the combination of Okada and Chang for reasons similar to those described above with respect to independent claim 1.

Claim 4 is dependent on independent claim 1, and claim 7 is dependent on independent claim 6. Therefore, claims 1, 4, 6-8, and 12-15 are allowable over the combination of Okada and Chang.

Claims 9 and 11 have been rejected under 35 U.S.C §103(a) as being unpatentable over Okada (US 6,148,140) in view of Chang (US 7,289,564) and further in view of Teo (US 5,261,464). This rejection is respectfully traversed for the following reasons.

Claims 9 and 11 are dependent on independent claim 8 discussed above.

Teo is relied upon in the rejection as disclosing removing pictures based on display information before they are displayed. However, it is apparent that Teo fails to disclose or suggest the feature lacking from the combination of Okada and Chang discussed above with regard to independent claim 8. Furthermore, Teo does not disclose or suggest determining that the picture is the earliest in display order, or whether to store an invalid picture, based on flag information, as recited in claims 9 and 11, respectively. Accordingly, no obvious combination of Okada, Chang, and Teo would result in, or otherwise render obvious under 35 U.S.C. §103(a), the features recited in claims 8, 9, and 11. Therefore, claims 8, 9, and 11 are patentable over the combination of Okada, Chang, and Teo.

Claim 10 has been rejected under 35 U.S.C §103(a) as being unpatentable over Okada (US 6,148,140) in view of Chang (US 7,289,564) and Teo (US 5,261,464) and further in view of Asai (US 6,710,785). This rejection is respectfully traversed and submitted to be inapplicable to the above claims for the following reasons.

Claim 10 is dependent on claim 9 discussed above.

Asai is relied upon in the rejection as disclosing a clip sort function used in video editing where clip information is updated and video sections are removed. However, it is apparent that Asai fails to disclose or suggest the feature lacking from the combination of Okada, Chang, and Teo discussed above with regard to claim 9. Furthermore, Asai does not disclose or suggest updating the clip information when the flag is extracted, as recited in claim 10. Accordingly, no obvious combination of Okada, Chang, Teo, and Asai would result in, or otherwise render obvious under 35 U.S.C. §103(a), the features recited in claims 9 and 10. Therefore, claims 9, and 10 are patentable over the combination of Okada, Chang, Teo, and Asai.

Because of the above-mentioned distinctions, it is believed clear that claims 1, 4, and 6-15 are allowable over the references relied upon in the rejections. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of the invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in 1, 4, and 6-15. Therefore, it is submitted that claims 1, 4, and 6-15 are clearly allowable over the prior art of record.

In view of the above remarks, it is submitted that the present application is now in

condition for allowance. The examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

Youji NOTOYA et al.

/Allen N. Doyel/

By 2009.09.28 13:39:01 -04'00'

Allen N. Doyel

Registration No. 60,391

Agent for Applicants

AND/lkd  
Washington, D.C. 20005-1503  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
September 28, 2009